

impact of the AD on U.S. operators is estimated to be \$74,400, or \$2,400 per airplane.

Should an operator be required to accomplish the replacement of the torque shaft assembly, it will take approximately 40 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$2,950 per airplane. Based on these figures, the total cost impact of any necessary replacement action is estimated to be \$5,350 per airplane.

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

95-14-03 British Aerospace Airbus Limited
(Formerly British Aerospace Commercial Aircraft Limited, British Aerospace Aircraft Group): Amendment 39-9295.
Docket 94-NM-161-AD.

Applicability: All Model BAC 1-11-200 and -400 series airplanes, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (d) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of the center torque shaft of the spoiler on the left and right wing, accomplish the following:

(a) Perform a radiographic inspection to detect internal corrosion of the center torque shaft on the left and right wing spoilers, in accordance with the Accomplishment Instructions of British Aerospace BAC 1-11 Alert Service Bulletin 27-A-PM6007, Issue 1, dated April 10, 1992, at the time specified in paragraph (a)(1) or (a)(2) of this AD, as applicable. If the date of installation of a center torque shaft cannot be determined, the radiographic inspection of that shaft must be accomplished within 9 months after the effective date of this AD.

(1) For the center torque shaft on the left wing spoiler: Inspect within 10 years after the date of installation of that center torque shaft, or within 9 months after the effective date of this AD, whichever occurs later.

(2) For the center torque shaft on the right wing spoiler: Inspect within 10 years after the date of installation of that center torque shaft, or within 9 months after the effective date of this AD, whichever occurs later.

(b) If no internal corrosion is detected, repeat the radiographic inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 4 years.

(c) If any internal surface corrosion is detected, prior to further flight, replace that shaft assembly with either a used serviceable assembly or a new assembly, in accordance with British Aerospace Alert Service Bulletin

27-A-PM6007, Issue 1, dated April 10, 1992. Perform the radiographic inspection in accordance with that service bulletin at the applicable time specified in paragraph (c)(1) or (c)(2) of this AD.

(1) If a new shaft assembly is installed: Perform the inspection within 10 years after installation. Thereafter, repeat the inspection at intervals not to exceed 4 years.

(2) If a used serviceable shaft is installed: Prior to installation, perform an initial radiographic inspection of that shaft in accordance with the service bulletin. Thereafter, repeat the inspection at intervals not to exceed 4 years.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(f) The inspections and replacement shall be done in accordance with British Aerospace Alert Service Bulletin 27-A-PM6007, Issue 1, dated April 10, 1992. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from British Aerospace, Airbus Limited, P.O. Box 77, Bristol BS99 7AR, England. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on August 7, 1995.

Issued in Renton, Washington, on June 23, 1995.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-15994 Filed 7-6-95; 8:45 am]

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14 CFR Part 39

[Docket No. 92-CE-21-AD; Amendment 39-9293; AD 95-14-01]

Airworthiness Directives; Glaser-Dirks Flugzeugbau GmbH Model DG-100 Sailplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to Glaser-Dirks Flugzeugbau GmbH (Glaser-Dirks) Model DG-100 sailplanes equipped with the main L4 fitting of the all flying tailplane. This action requires inspecting (one-time) the tailplane main fitting to ensure the part is accurately welded, and modifying the tailplane main fitting if not accurately welded. A report of tailplane main fitting failure on one of the affected sailplanes, where the welding did not completely cover the entire wall thickness of the fitting, prompted this action. The actions specified by this AD are intended to prevent loss of control of the sailplane because of tailplane main fitting failure.

DATES: Effective August 24, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 24, 1995.

ADDRESSES: Service information that applies to this AD may be obtained from Glaser-Dirks Flugzeugbau GmbH, Im Schollengarten 19-20, 7520 Buchsal 4, Germany. This information may also be examined at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Herman Belderok, Project Officer, Sailplanes, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6932; facsimile (816) 426-2169.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Glaser-Dirks Model DG-100 sailplanes equipped with the main L4 fitting of the all flying tailplane was published in the **Federal Register** on January 18, 1995 (60 FR 3587). The action proposed to require inspecting (one-time) the tailplane main fitting to ensure the part is accurately welded, and modifying the tailplane main fitting if not accurately welded. Accomplishment of the proposed actions would be accomplished in accordance with Enclosure to Technical Note 301/15, which is a supplement to Glaser-Dirks Technical Note 301/15, dated July 7, 1989.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the

proposed rule or the FAA's determination of the cost to the public.

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

The FAA estimates that 16 sailplanes in the U.S. registry will be affected by this AD, that it will take approximately 1 workhour per sailplane to accomplish the required action, and that the average labor rate is approximately \$60 an hour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$960. This figure is based on the assumption that no affected owner/operator has accomplished the proposed one-time inspection. The FAA anticipates that several owners/operators have already accomplished this inspection, thus reducing the cost impact upon the public imposed by this AD.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the final evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the

Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new AD to read as follows:

95-14-01 Glaser-Dirks Flugzeugbau GmbH: Amendment 39-9293; Docket No. 92-CE-21-AD.

Applicability: Model DG-100 sailplanes (all serial numbers) that are equipped with the main L4 fitting of the all flying tailplane, certificated in any category.

Note 1: This AD applies to each sailplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For sailplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (d) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any sailplane from the applicability of this AD.

Compliance: Required within the next 100 hours time-in-service after the effective date of this AD, unless already accomplished.

To prevent loss of control of the sailplane caused by failure of the tailplane main fitting, accomplish the following:

(a) Inspect the tailplane main fitting to ensure that the welding covers the entire wall thickness of the fitting in accordance with the instructions in paragraph 3 of the Enclosure to Technical Note (TN) 301/15, which is a supplement to Glaser-Dirks TN 301/15, dated July 7, 1989.

(b) If the welding does not cover the entire wall thickness of the fitting, prior to further flight, modify the tailplane main fitting in accordance with instructions in paragraph 4 of the Enclosure to TN 301/15, which is a supplement to Glaser-Dirks TN 301/15, dated July 7, 1989.

Note 2: The service information specifies inspection and possible modification for the Model DG-100 Elan sailplanes, as well as the Model DG-100 sailplanes. Even though the Model DG-100 Elan sailplanes are not certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29),

the actions in this AD are recommended for any of these sailplanes certificated otherwise, i.e., experimental category.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate sailplanes to a location where the requirements of this AD can be accomplished.

(d) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(e) The inspection required by this AD shall be done in accordance with the Enclosure to Technical Note 301/15, which is a supplement to Glaser-Dirks Technical Note 301/15, dated July 7, 1989. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Glaser-Dirks Flugzeugbau GmbH, Im Schollengarten 19-20, 7520 Buchsal 4, Germany. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment (39-9293) becomes effective on August 24, 1995.

Issued in Kansas City, Missouri, on June 22, 1995.

Gerald W. Pierce,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-15928 Filed 7-6-95; 8:45 am]

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14 CFR Part 39

[Docket No. 94-NM-178-AD; Amendment 39-9291; AD 95-13-11]

Airworthiness Directives; McDonnell Douglas Model DC-10-10 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC-10-10 airplanes, that requires repetitive inspections to detect cracking of the upper caps in the front spar of the left and right wing, and repair, if necessary. This amendment is prompted by reports of fatigue cracking

in the upper cap of the front spar of the wing in the forward flange area. The actions specified by this AD are intended to prevent progression of fatigue cracking, which could cause reduced structural integrity of the wing front spar and damage to adjacent structures.

DATES: Effective August 7, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 7, 1995.

ADDRESSES: The service information referenced in this AD may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: John Cecil, Aerospace Engineer, Airframe Branch, ANM-120L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5322; fax (310) 627-5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC-10-10 airplanes was published in the **Federal Register** on January 12, 1995 (60 FR 2909). That action proposed to require repetitive eddy current test high frequency (ETHF) surface inspections to detect fatigue cracking, and repair of the upper cap in the front spar of the wing if any cracking is found. That action also proposed to require additional repetitive inspections after any repair of the upper cap. Additionally, that proposed action stipulated that, if the preventive modification is installed on an airplane on which no cracks were found during the initial inspection, the repetitive inspections of that airplane may be terminated.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter supports the proposed rule.

One commenter supports the proposed rule, but requests that the FAA require McDonnell Douglas to have repair parts (i.e., angles, straps, fillers, doublers, and fasteners) available prior to the issuance of the final rule. The FAA does not concur. The manufacturer has advised that an ample number of parts, which may be necessary for "on condition" actions, will be available. Since those parts are required only "on condition" of findings of cracking, the FAA does not anticipate that any operator will encounter a parts availability problem. However, under the provisions of paragraph (e) of the final rule, the FAA may approve requests for adjustments to the compliance time if data are submitted to substantiate that such an adjustment would provide an acceptable level of safety.

Another commenter supports the rule, but requests that the compliance time for the eddy current inspection between stations Xos 667 and Xos 789 to detect cracking, as stated in paragraph (a) of the proposed rule, be expanded to add "or two years after the effective date of the AD, whichever occurs later." The commenter does not state the reason for requesting this revision of the compliance time. The FAA does not concur. In developing an appropriate compliance time for this action, the FAA considered not only the degree of urgency associated with addressing the subject unsafe condition, but the normal maintenance schedules for timely accomplishment of the actions required by the final rule for all affected airplanes to continue to operate without compromising safety. The subject cracking in the upper cap of the front spar of the left and right wing between stations Xos 667 and Xos 789 has been identified as being caused by fatigue. Since fatigue stresses are related to the landing process, the FAA normally considers that intervals for fatigue inspections should be based on the number of landings (or flight cycles) that would ensure that cracking is detected before it can reach a critical length. However, under the provisions of paragraph (e) of the final rule, the FAA may approve requests for adjustments to the compliance time if data are submitted to substantiate that such an adjustment would provide an acceptable level of safety.

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.